

REMARKS/ARGUMENTS

Claims 1-20 are pending in the present application. Claims 1-20 have been rejected. In the above amendments, claims 1, 6, 10, 15 have been amended.

Applicants respectfully respond to this Office Action.

A. Interview Summary

Applicants thank the Examiner for the consideration given during the personal interview of March 10, 2004. In that interview, one of the inventors, Michael L. Howard, and the attorney of record discussed with the Examiner the Tang reference (Tang et al., U.S. Patent Application No. 2001/0041943 A1). The inventor also explained the operation of the Applicant's invention. Claim 1 was discussed during the interview. The amendments made by this paper and the arguments herein were also discussed during the interview.

B. Informality – Information Disclosure Statements

Applicants have previously submitted Information Disclosure Statements. One Information Disclosure Statement was mailed on May 23, 2001. The PAIR system shows this as date May 29, 2001. Another Information Disclosure Statement was mailed on January 16, 2002. The PAIR system shows this as date February 1, 2002. Copies of these two IDSs are attached hereto in Appendix A. Although these IDSs were filed, Applicants did not see the Examiner's initial's by these references on the PTO-1449 form. Accordingly, Applicants hereby request that the Examiner initial these references on the PTO-1449 forms as having been considered and transmit the same to Applicants' Attorney of Record.

C. Claims 1-20 Rejected under 35 U.S.C. § 102

The Examiner rejected claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by Tang et al., U.S. Patent Application Publication No. 2001/0041943 A1 (hereinafter, "Tang"). This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131 (July

1998) (citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” M.P.E.P. § 2131 (July 1998) (citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, “the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” In re Paulsen, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

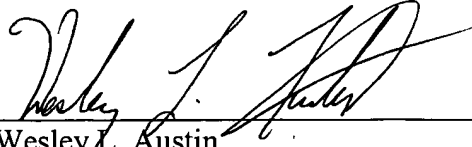
Claim 1 has been amended to specify that the communications port is “for electronically connecting the electronic device to a first electronic device that is separate and distinct from the electronic device.” Furthermore, claim 1 has been amended to specify that the new program code for reprogramming the reprogrammable memory is “for communicating with the first electronic device through the communications port.” Applicants respectfully submit that Tang does not disclose these limitations in claim 1. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn.

As set forth above, Tang does not disclose every element of claim 1. Claims 2-20 depend from, or have similar limitations to, claim 1. Thus, Applicant respectfully requests that the rejection of claims 2-20 be withdrawn for at least the same reasons.

Applicant respectfully asserts that claims 1-20 are patentably distinct from the cited references, and requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

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Amdt. dated March 18, 2004
Reply to Office Action of November 19, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', is written over a horizontal line.

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